

HAMILTON COUNTY BOARD OF COMMISSIONERS
APRIL 14, 2003

The Hamilton County Board of Commissioners met on Monday, April 14, 2003 at 11:00 am in Conference Room 1A in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. President Holt called the meeting to order and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Also present were: Larry Dawson, Dan Stevens, Robin M. Mills and Kim Rauch.

Juvenile Justice Center Project Update:

Mr. Larry Dawson presented a brief update on the status of the Juvenile Justice Center Project. Mr. Dawson stated items of concern are the courtroom that was designed into the preliminary design, probation staff that would be located at the center for courtroom business, prosecution staff that was involved with the courtroom activity and a question about whether shelter care should be involved in this building. Mr. Dawson also requested a decision on the basic scope of the project, whether to go forward to design the project (which would include a funding request) or if it is not the right time to move forward with the project to finalize the scope to store for later use. Mr. Dawson also requested the status on the contracts for RQAW, Cripe and American Consulting Engineers. Ms. Rauch is checking into the status of those contracts. If the project is to move forward there is a lot of work on the operational side in projecting the staffing requirements. If the project is not to move forward we need to wrap up the information including the programming side and the staffing. Mr. Dawson stated an offer is on the table from Huskey and Associates, do we want them to go forward with fundraising? They have offered to go after grants on our behalf and they have made the statements that there may be \$6-\$8 million available from the federal government, that Hamilton County is not getting and we can go back and claim two years worth of what we may have been entitled to in the past. One of the crucial things to us is to have someone in the county trained, it needs to be someone involved in law enforcement that understands the grant process and may already be involved in it, to learn what the Huskey people do so we can gain that skill and have it here in Hamilton County and not have to pay every year for their grant expertise.

Altman stated in terms of the overall scope, she is concerned about the operational costs once we build it. This envisions use of probation officers which are expensive, to run the programs. It does not look at social service workers that are less costly to run the program. She would like to have a separation between the court system and our program. The other concern is whether it will be cost effective to move probation to that facility. She could see a transportation issue with the programming. She would presume parents would bring their kids up for the programming, unless we have buses from the schools or transportation in some form, she does not see it being successful. She would rather see programming located in the populous communities, i.e. Fishers, Carmel and use this facility for the less populated parts for it to be effective. She wants to make sure it is designed to the point where we can't expand the jail. She would like to have shelter care under our control instead of jobbing it out. Altman stated she would like to investigate the charter school concept to help defray some of the costs. She would also like to know what Huskey is going to charge us for finding the grants.

(11:16:27) Dillinger stated he thought statutorily this fell under the Circuit Court. Altman stated the juvenile center does, but in terms of the alternate programming, it does not. Altman stated the judges can clarify that for us. Dillinger asked why would we want control of that? Altman stated she is concerned with personnel costs. She would rather have the courts run it in terms of placement, etc. She is looking at the operating costs that they will be expecting us to fund. If we can do it without involving all probation officers, now under the new statute we will have to have concurrence on salaries from the judges. She has a concern with where we are going with probation salaries and formulating this program around it that way when she thinks we can do it less expensively. (11:18:07) Dillinger stated he understands personnel costs are high, but us transporting the youth all over the place, according to the statistics, is much higher. It is not a matter of if we are going to spend the money, it is a matter of when we will spend the money. Altman asked Dillinger to define transportation. This program does not even consider transportation provided by the county. Dillinger stated he is talking about the costs of us placing people in White's Institute versus keeping them here. Altman stated her concern is using probation officers exclusively to run the programs instead of exploring a lesser costs in terms of the alternate programming. We need to explore personnel costs to operate the facility to see if we can do it more efficiently. (11:20:17) Holt asked Dillinger what his feeling was on housing the juvenile prosecutors there? Dillinger stated he is not that familiar with the process, he is not stuck on that issue. Holt asked if Dillinger was comfortable with the probation department and prosecutors being left downtown? Holt stated there is unanimity on that. Mr. Dawson stated in clarity, the courts are a complete department that can be relocated away from the juvenile justice site. The prosecution that goes with that can be relocated away from the juvenile justice center. As he understands it, the probation staff as dedicated to program, would still need to be at the juvenile site in the space for programming. The probation staff that would be involved with the court could stay downtown. Captain Dan Stevens stated if you are going to provide programming space at the juvenile detention center there will be some space set aside for those officers dedicated to programming. Whether they are probation officers that are supervising the programming if it is contracted out or the probation officers themselves. Altman stated it does not necessarily need to be contracted out, it does not have to be a probation officer running the program. Captain Stevens stated it could be someone with a MSW qualification as opposed to probation.

(11:23:58) Altman asked what the costs are for building out the office area? Is that something that we would want to go ahead from a construction planning standpoint to anticipate more support services going over there? The costs of construction are relatively low and we have that option for expansion. Mr. Dawson stated when we looked at the building schematic the courts were on the second floor and there was space for the prosecution staff on the first floor of that building along with intake. He does not think the size of the building by moving the court and prosecution staff out, especially if we left shelter care there and if we left intake there, the size of the building would not decrease more than 10%. Altman stated we could build a structure and build it out as we need the space. Mr. Dawson stated intake was an issue and he does not know where it is. Holt stated he had a problem with the way intake was being handled because effectively the initial interview was being handled by the probation department at the time the child was brought in with the parent's permission he thought was a constitutional dilemma. Since then he has spoken with the probation department and it is not something he is going to prevail on. Altman stated intake is the one gigantic plus, where we will not be throwing every kid who comes through the system into an overnight situation. Altman would want to see a more neutral

intake procedure. Zero tolerance is absolutely ridiculous and she does not want to perpetuate it here. It is a staffing issue, versus a facility issue. Holt stated one of the important issues is who is going to be in charge? We need to settle the governance issue. Altman stated maybe part of our planning process is to look at a Community Corrections Board type system.

(11:29:27) Holt stated the next issue is the shelter care issue. Altman stated she would rather see kids centralized for convenience for the families. Holt stated he likes the idea of the private sector doing it, as it is done now. Shelter care happens to a child by no fault of their own. Altman stated the shelter care related to this facility is due to an infraction not because of the parents. Discussion followed regarding the shelter issue. Mr. Dawson stated there are three residential components in the plan, one is secured by the building and the staff and then there is another less secure area that is secured by staff and then there is shelter care. Holt stated programmatically those are not post adjudication kids. Holt stated he embraces the idea of not shipping people out to White's Institute. Mr. Dawson stated the discussions of the shelter care have been the building portion, the operational side of shelter care was up in the air. Captain Stevens stated you could contract Hamilton Centers, but they could be housed in this center. Holt stated we are already contracting with Hamilton Centers and we would not have the expense of building the building or detaining the child on Cumberland Road. Altman asked if it is possible to build the larger building and have the shelter care portion built to a more secure detention. Mr. Dawson stated it is more of a perception than it is if it is possible. Do the commissioners ever want to put kids who are not inside the justice system on that complex. Is it possible to make it a more secure detention? That is what is not in the budget now. If it were switched over without modification, it would only have to be minor offenders. There may be something we could do to make the door locked from either side. There would be economy of scale with the laundry and food in the same location. Altman asked if any child that would go in to shelter care, go through this intake center? Captain Stevens stated they would start out there. Altman stated she will visit Hamilton Centers to see if it has changed. (11:40:12) Dillinger stated he thinks we are greatly discounting all the work that was put in from all the different departments. All of this was analyzed, opinions might be different. Dillinger stated he feels comfortable that they have looked at all the alternatives and avenues and they have made their recommendations. They know more about it than he does and any more that we do is micro-managing and he is not a micro-manager. Altman asked if Dillinger would have a problem examining construction changes that we could make now for conversion issues we could make for growth, on the shelter issue? Dillinger stated no, he would not have a problem with that. Mr. Dawson stated we could add two more dormitory pods for secure detention that are equal to size of what we have. As far as the site is concerned, we recommended that an independent be hired to look at the site to give the county assurances that we could live on that site for 50 more years. That site preparation study has been done and the next two expansions of the juvenile detention center will not impact on the future expansion of the jail

(11:42:33) Holt stated the last issue was education. Altman had indicated there was merit to have the education where the kids are as opposed to bringing the kids to the site. Altman stated she is really concerned about transportation issues. The concern is whether we can realistically get them all to Noblesville or should we be looking at cooperation with the schools or the YMCA or some other partnership in local based community programs. Captain Stevens stated if you have multiple locations, you will have to have multiple personnel. Altman stated we will have to have a ratio of students to instructors or students to supervisors that we will

maintain. If we go to the populace areas, we might be able to maintain those ratios correctly without securing additional personnel. It will not change the design. Mr. Dawson stated he keeps hearing on that subject, it was getting these kids involved in the same program. We have to provide these services for the kids who are detained. We have to have the space so we can do the programming that we need. The idea is that if we are going to do the programming for 20 kids there, why don't we make the rest of the kids come in there and participate in the same programming that we will be doing. We would like to involve the parents coming there as often as we can to make some impact on the parents. Altman would like the transportation issue clarified.

(11:48:16) Holt stated we are still up in the air about shelter care. Dillinger stated we spent \$100,000 on this study, we have involved every aspect of the system, spent hours refining it. We have been studying this for 2 years, the price keeps going up. Altman asked did we expand the square footage significantly to increase the price? Dillinger stated yes, but prices are going up as well. Mr. Dawson stated it is just about all program driven. Altman stated the only reason she would want to hold on that would be to decide if Hamilton Centers is doing such a better job than we would. Dillinger asked how are you going to decide if Hamilton Centers is doing a better job than we would do? Altman stated she is not, she would look at Steve's concerns and give it a little more weight. Mr. Dawson stated in the plan right now is three levels of security in the three residential sections. There is probably not much difference between the second level of security and the lowest level of security in the building. We can lock them both up if we have to and we could make them identical so you could use them now for secure and it would give you flexibility of what is already built and still have the ability to expand the building twice on the main ground level without debating the fact if we should go two stories on those. There are two ground sections laid on for expansion of this facility for secure detention to hook on to it and go. Mr. Dawson stated shelter care is a facility issue, it is not that much space or that much costs. Personally in his opinion with capital costs for bonds and the building bids we have been getting, it is a marvelous time to build. Operational costs he can not comment on.

(11:54:46) Mr. Dawson asked if we change the scope to take the court out, take the prosecution out, take the probation that has to do with the court out, leave intake in and leave a question mark about shelter care? Do we go ahead with the project or do we stop the project? Holt stated he would like to differ that for 2 weeks or 30 days until we look at the shelter issue. Captain Stevens recommended the Commissioners talk to Madonna about the shelter care concept. Altman would like to see what kind of money is available from Council. Mr. Dawson stated basically the scope changes are those items with shelter care a question right now. To go to the point that we would have a building design and ready for bid to the point that you would feel comfortable to sell bonds, unless we would want to sell them much earlier because of the interest rates we can get right now. We will have to go to Council to get money as authorized to be spent for the design team for this process, which he is assuming could be included in the bond price and paid back to the County. Then we would be at a point where we could get the rest of the building designed, bid and built. We still have the open question of the operating costs. Holt asked if there was some merit to talking about the operating costs before making the decision of whether to move forward or not? Mr. Dawson stated he believes they are ready to do that. Mr. Dawson stated the operational cost's team have assembled the information and is ready to make the presentation. Captain Stevens stated it will need to be modified to incorporate the space changes that were discussed. Mr. Dawson stated operational costs would not be hung up on

shelter care, they were going to leave that open. Altman stated we need to have the discussion what it is going to cost to operate it as soon as possible. Alternatives need to be presented so we can make an informed decision. Altman stated she thinks it would behoove us to speak with Boone County to see what they would commit to, at least the first 2-3 years, if they would use our facility. Holt stated Altman is right on the fixed contract. Captain Stevens stated we can establish what our contract would be prior to our opening and see what the interest is with other contracts. They will probably not sign in July for a building that is being but two years down the road. Holt suggested delegating contacting other counties to Steve Nation. Altman stated she will call him. (12:02:59) Holt asked if we have a consensus that we would like to have a programmatic cost presentation in a joint session? Altman and Dillinger agreed. Captain Stevens asked based on the originally submitted design or excluding what was discussed? Holt stated you have a consensus that we are not going to do the court, we are not going to do the prosecutor's offices and we are not going to do the juvenile probation offices. There will be office space for programmatic needs.

(12:04:29) Altman asked how much is Huskey going to charge us? Mr. Dawson stated no fee, it is a percentage of what they raise and it was significant. Altman stated she is not interested. Holt asked what is Altman's hesitation? Altman stated she would rather hire a grant writer to research it at 20% rather than 50%. Mr. Dawson stated he thinks they have information and experience that we don't currently have. They have a proposal in to us that is not very much risk to us to take advantage of, he agrees the price is too high, it is 20%. Mr. Dawson stated this is money we are not getting right now. Mr. Dawson would like to know if we want to do it and we can negotiate the price. He would like someone to be designated to be watching everything they do, someone from law enforcement, that is willing to learn everything they do so we don't have to go back and pay people to do that. There have been no negotiations. Holt asked if there was a consensus to ask Mike, Dan or Larry to talk to Huskey and negotiate a contract for us to take a look at? Dillinger, Altman and Holt unanimously agreed to do that.

Meeting was adjourned.

The Hamilton County Board of Commissioners met on Monday, April 14, 2003 in the Commissioner's Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session. President Holt called the public meeting to order at 1:58 pm. A quorum was declared present of Commissioner Christine Altman, Commissioner Steve C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited. A moment of silence was held in honor of those who are in harm's way and those who have made the ultimate sacrifice in the Middle East.

Approval of Minutes: (1:57:39)

Dillinger motioned to approve the minutes of March 24, 2003 meeting. Altman seconded. Motion carried unanimously.

Executive Session Memoranda:

Dillinger motioned to approve the Executive Session Memoranda of March 24, 2003. Altman seconded. Motion carried unanimously. Dillinger motioned to approve the Executive Session Memoranda of April 14, 2003. Altman seconded. Motion carried unanimously.

Plat Approval

Centennial, Section 1 Townhomes, Building 19:

Mr. Steve Broermann recommended approval of the plat for Centennial, Section 1 Townhomes, Building 19. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Highway Business (1:59:03)

Open Road Cut Permits:

Mr. Jim Neal requested approval of Open Road Cut Permits: 1) RDCUT 2003-008 - City of Noblesville approximately 1,400' south of intersection of SR 238 and Boden Road on SR 238 to construct precast RC box culvert to provide stormwater outfall under SR 238 for proposed development near Exit 10 of I-69. 2) RDCUT 2003-009 - City of Noblesville approximately 2,400' north of intersection of Brooks School Road and E. 136th Street on Brooks School Road to construct precast RC box culvert to provide stormwater outfall under Brooks School Road for proposed development near Exit 10 of I-69. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department: (1:59:16)

Mr. Neal requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-03-0025 - The Continental Insurance Company Subdivision Bond #929283378 issued on behalf of Crossmann Communities Partnership dba: Beazer Homes Investment Corporation in the sum of \$165,013.87 for streets and street signs in Lakes of Hayden Run, Section One to expire March 14, 2005. 2) HCHD #B-03-0026 - Fidelity and Deposit Company Payment Bond issued on behalf of T&R Pavement Markings, Inc. in the sum of \$10,000 for Pavement markings Categories 8a, 8b, 8c, 8d, 8e, 8f to expire 3/21/04. 3) HCHD #B-03-0027 - Fidelity and Deposit Company Performance Bond issued on behalf of T&R Pavement Markings, Inc. in the sum of \$10,000 for pavement markings to expire 3/21/04. 4) HCHD #B-03-0028 - Ohio Farmers Insurance Company Permit Bond No. 5864602 issued on behalf of Theodore J. Melvin in the sum of \$5,000 for a commercial drive to expire April 4, 2004. 5) HCHD #B-03-0029 - Bond Safeguard Insurance Company Performance Bond No. 5003788 issued on behalf of the Sullivan Corporation in the sum of \$90,250 for 106th Street and Michigan Road for the construction of a commerce drive to expire April 3, 2005. 6) HCHD #B-03-0030 - Bond Safeguard Insurance Company Payment Bond No. 5003788 issued on behalf of the Sullivan Corporation in the sum of \$90,250 for 106th Street and Michigan Road for the construction of a commerce drive to expire April 3, 2005. 7) HCHD #B-03-0031 - Western Surety Company Permit Bond NO. 14482096 issued on behalf of David DeWhitt in the sum of \$5,000 for a driveway permit to expire April 2, 2004. 8) HCHD #B-03-0032 - Safeco Insurance Company of American Subdivision Bond No. 5212018 issued on behalf of Centex Homes in the sum of \$5,000 for a landscaping sprinkler system in the right of way at The Lakes at Hayden Run, Section 1 to expire April 3, 2005. 9) HCHD #B-03-0033 - Travelers Casualty and Surety Company Subdivision Bond No. 103871980 issued on behalf of Crossman Communities Partnership dba Beazer Homes Investment Corporation in the sum of \$54,314.53 for streets, curbs street signs, regulatory signs in Lakes at Hayden Run to expire 3/28/05. Dillinger motioned

to approve to accept. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Neal requested release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-00-0020 - Ohio Casualty Insurance Maintenance Bond #3-659-180 issued on behalf of Advanced Concrete, LLC for Overlook at Stony Creek Estates, Section 1. 2) HCHD #B-00-0021 - Erie Insurance Group Performance Bond issued for Stony Creek Estates, LLC for Overlook at Stony Creek Estates, Section 1 for common area sidewalks. 3) HCHD #B-00-0022 - Erie Insurance Group Payment Bond issued for Stony Creek Estates LLC for Overlook at Stony Creek Estates, Section 1 for common area sidewalks. 4) HCHD #B-00-0023 - United States Fidelity & Guaranty Company Performance Bond #400KD8664 issued on behalf of E&B Paving, Inc. for Overlook at Stony Creek Estates, Section 1. 5) HCHD #B-00-0024 - United States Fidelity & Guaranty Company Payment Bond #400KD8664 issued on behalf of E&B Paving, Inc. for Overlook at Stony Creek Estates, Section 1. 6) HCHD #B-00-0025 - United States Fidelity & Guaranty Company Maintenance Bond #400KD08665 issued on behalf of E&B Paving, Inc. for Overlook at Stony Creek Estates, Section 1. 7) HCHD #B-02-0038 - Gulf Insurance Company Subdivision Performance Bond #B2 1847254 for streets, curbs, street and regulatory signs for Lakes of Hayden Run, Section One. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Agreements (2:00:30)

Subdivision Inspections Agreements:

Saddle Creek Subdivision:

Mr. Neal requested approval of the amended Subdivision Inspection Agreement, HCHD #A-00-0003, for Saddle Creek Subdivision, Sections 7, 8, 9, and 10 between Ditch Reap Properties, LLC (developer), Farrer, Garvey & Associates, LLC (engineer), and Hamilton County. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Shelborne Park Subdivision, Section 1:

Mr. Neal requested approval of the amended Subdivision Inspection Agreement, HCHD #A-02-0011, for Shelborne Park Subdivision, Section 1 between Shelborne Park, LLC (developer), EDIS, Inc. (engineer) and Hamilton County. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Shelborne Park Subdivision, Section 2:

Mr. Neal requested approval of the Subdivision Inspection Agreement, HCHD #A-03-0005, for Shelborne Park Subdivision, Section 2 between Shelborne Park, LLC (developer), EDIS, Inc. (engineer) and Hamilton County. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Lakes at Hayden Run, Section 2:

Mr. Neal requested approval of the Subdivision Inspection Agreement, HCHD #A-03-0004, for Lakes at Hayden Run, Section 2 between Crossman Communities Partnership

(developer), USI Consultants, Inc. (engineer) and Hamilton County. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Landscape Sprinkler System Agreement (2:01:52)

Lakes at Hayden Run, Section 1:

Mr. Neal requested approval of the agreement regarding Landscape Sprinkler System in Right of Way for The Lakes at Hayden Run, Section 1. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Utility Agreements (2:03:00)

Bridge #262, Fall Creek Road over Geist Reservoir:

Mr. Neal requested approval of Utility Agreement for Bridge #262, Fall Creek Road over Geist Reservoir. 1) HCHD #M-03-0018 - Insight Communications. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 2) HCHD #M-03-0019 - Central Indiana Power. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 3) HCHD #M-03-0017 - Hancock Rural Telephone Company. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 4) HCHD #M-03-0016 - SBC Ameritech. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 5) HCHD #M-03-0015 - Vectren Energy. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Condemnation of Parcels (2:04:43)

106th Street and Springmill Road Intersection:

Mr. Neal requested approval of condemnation of a parcel for the 106th Street and Springmill Road intersection project. 1) Parcel 03 - NRC Corporation for .496 acres +/- permanent right of way. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #175, 146th Street over Mud Creek:

Mr. Neal requested approval of condemnation of parcels for Bridge #175, 146th Street over Mud Creek. Parcel 02 - Martin H. Thieme or Doris C. Thieme, Trustees or Successor Trustees of the Martin H. And Doris C. Thieme Trust for 1.39 acres +/- permanent and .77 acres +/- temporary right of way. Parcel 05 - Anthony E. & Tammy M. Blackman for .07 acres +/- permanent and .01 acres +/- temporary right of way. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Petition to Vacate Right of Way (2:05:49)

Clay Terrace:

Mr. Michael Howard presented a Petition to Vacate a Portion of Walter's Street and U.S. 31 Frontage Road in the City of Carmel, Indiana for the Clay Terrace project. A provision is included that the roads will be maintained in their current condition until the replacement roads are available for use. Dillinger motioned to approve. Altman seconded. Motion carried

unanimously.

Permission to Advertise (2:09:10)

Rangeline Road Construction at Clay Terrace:

Mr. Neal requested permission to advertise for Rangeline Road construction at Clay Terrace from US 31 to 146th Street in Clay Township. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

146th Street Extension Project Engineering Agreement:

Mr. Neal requested approval of Engineering Agreement, HCHD #E-03-0002, with United Consulting Engineers & Architects for the 146th Street Extension Project, engineering design - Phase I (from 150' west of Promise Road to 3000' east of Promise Road) and Project Management - Phase I, II & III (from SR 37 to Boden Road). Mr. Neal stated he has identified funds from the 1997 Bond Issue. We still \$122,000 left in the 146th Street engineering line item and he has identified an additional \$14,786.50 that can be transferred from other line items which have underrun within the bond issue. As part of approving the agreement Mr. Neal is also requesting the Commissioner's approval to request the transfer of those funds to cover the not to exceed amount of \$137,000. Dillinger motioned to approve. Altman seconded. Altman asked where are we on the bond issue in the lease in terms of winding it up and determining balances left? Mr. Neal stated the 1997 bond issue has two active projects left in it. The 1998 bond issue still has two ongoing projects. The lease itself, we are in the process of closing out the three 146th Street Contracts 1, 2 and 3. He is very close to closing out Contracts 1 and 3. We are diving into Contract 2 in the next two weeks. Mr. Howard stated he thinks we have four or five land acquisitions outstanding, but those would be on the exception that marginal amount is not going to be big and there is still money in there for those. Altman asked if we are close to closing in on a reconcilable number on what might be available for other projects? Mr. Neal stated on the lease we should be fairly close to see what is left. Once we figure out what our bottom line is there anything left on the 1999 lease will be paid into the 1998 bond to cover what we had to borrow from there. We should be within 60 to 90 days. Motion carried unanimously.

I-69 Interchange Study: (2:13:29)

Mr. Joel Thurman presented the completed Interchange Planning Study at I-69 at SR 238 and at Cyntheanne Road. The completion of this document was a joint effort with the Highway Department, the Town of Fishers and the City of Noblesville. Mr. Thurman requested to be placed on the next meeting agenda to ask for the Commissioner's review and input on how to proceed with this study.

Trailways Project Request for Proposals: (2:14:36)

Mr. Neal requested permission to request proposals for construction supervision for the Hamilton County Trailways Project - Phase I along Towne Road, 106th Street and 116th Street in Clay Township. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

2003 Resurface Program: (2:15:32)

Mr. Brad Davis requested the Commissioner's concurrence with the Highway Department's intent to continue to go to the County Council for the appropriation of \$1.2 million for the 2003 Resurface Program. It has been tabled twice, we are meeting with the Council's Highway Committee and we will discuss it with them to get their concurrence. Mr. Davis stated it is important that we continue our maintenance program and our resurface program to keep the roads safe for the citizens of Hamilton County. Dillinger stated we want to go on with it. It is a priority.

Holt called a break. (2:17:27)

Holt called the meeting back to order. (2:33:20)

Attorney (2:33:30)

131st Street West Road to Boone County Line:

Mr. Howard presented a memorandum on the Austin Oaks Annexation Petition to the Town of Zionsville. A condition of that was that the Austin Oaks Subdivision would ask that Willow Road be a cul-de-sac just west of our county line. This was a long litigation that we have been involved in. We entered into a interlocal with Clay Regional Waste, we acquired right of way. The paving of this is not yet funded. There was a lot of concern that it was important that our citizens have some where to get to SR 421 between 146th Street and 116th Street. The suggestion would be that the Highway Department and he work together to prepare a letter to be signed by the President or you may want to appear. The Carmel Plan Commission is directing a letter to the attorney for the subdivision. Mr. Howard stated our letter will be directed to the town council. Dillinger stated he absolutely thinks we should. Dillinger motioned to do so. Altman seconded. Motion carried unanimously.

Terry Airport Update: (2:35:52)

Mr. Howard presented an update on the acquisition of Terry Airport. The county council passed a resolution to proceed with the acquisition of Terry Airport at their April meeting. Mr. Howard presented copies of the packet that was presented to the county council which includes information on the financing package, the approved resolution and the AIA study. Mr. Howard stated the seller agreed to take back a 4% interest only contract for 5 years with no pre-payment penalty. The proposal would be that the balance of the contract would be funded partially from a \$2 million bond and partially from cash. CCD can be used for the \$134,000 per year principal and interest payment on the \$2 million bond. The people from Mid-States Engineering are cautiously optimistic that in the 5 years before the balloon occurred substantially, if not all of the funds from the Council advance and the sellers contract would be reimbursed from federal funding. The gross acreage being acquired is 550 acres, the net that is reimbursable to the owner because of AIP funding is 210 acres plus existing improvements. The Board of Aviation Commissioners have applied for AIP funding to tear down the existing terminal building, but after that the priority will be reimbursement of funds. The operator that wanted the ILS replaced, when he found out the county's financial position, was sure it could be fixed. We are negotiating that he would be responsible for that maintenance. Altman stated this was depicted as a land contract, we are not going to take a deed with a mortgage back, he can use the same thing tax wise? Mr. Howard stated we will take title. Mr. Howard stated we are looking at the AIP

regulations to see if we want a mortgage back on part of it to see how that works for our reimbursement to insure optimal ability for reimbursement of those funds.

Bid Award (2:39:56)

911 Tower:

Mr. Howard stated Captain Craig and our consultant, Phil Parton, have reviewed the 911 Tower Bids. Their recommendation is to award the bid to JDH Contracting, Inc. in the amount of \$124,100. Part of the requirements is to provide towers for two sites, but also required base and the anchoring base. Because of the substantial improvement of the base from JDH, because they are already contracting with our propriety supplier to install other components of the system, which will reduce the ability to coordinate between contractors and because of the timing, National Tower Services has a schedule of 10 weeks, JDH says they can have the towers installed in six weeks. This is extremely important because once the towers are installed the equipment is hung on them and the testing to assure that the system works needs to be done at the maximum time the leaves are on the trees which is June and early July. The JDH bid is well within budget. Altman asked if there were construction specs in the bid? Mr. Howard stated we had specs for the towers, we did not go in to the details or fabrication of the base. The towers are generic, but to get someone to design the base we would need engineered drawings and we did not do that. We used specs that others had used. Captain Craig stated when he spoke with National Tower Services he was not sure how tall the pillars would be or how deep they would go in the ground. He estimated 15'. Then there would be a slab at the bottom, which he could not give the thickness and the size of the slab. JDH gave the specs of 3' diameter, 22' reinforced are the specifications from the drawing from Pirod is what they require for the 180' self supported tower. Pirod is the manufacturer, we did not bid a Pirod tower, but we bid Pirod specs. Holt asked if we should go back to National Tower and advise them of the Pirod specs and give them the opportunity if they would do that under their bid? Captain Craig stated they bid a Rohm tower. Mr. Howard stated the specs did not specify Pirod, it described them. Captain Craig stated he had to call National to get the breakdown, JDH's bid gave us the breakdown. The difference in the money was for the base and the foundation. We want the best foundation because it is a totally self supported tower, there are no guide wires to it. Altman stated she is surprised we did not have specs on how we expected it to be constructed. Mr. Howard stated the specs basically required them on the base to fabricate and install. The higher bid described what it would be, the other bid just filled in the number on the Form 96. Altman stated she does not want to wait to go back to them because we are looking at a window of time for testing. Her concern is if we have run this past an independent engineers to make sure it is going to work? Mr. Howard stated Parton has supervised and been involved in the installation of many towers. Altman asked if site conditions could make a difference? Captain Craig stated site condition could make a difference. JDH has physically looked at these sites two times. He has had one phone conversation from National Tower. Altman motioned to approve as recommended with the stipulation that we have a stamped set or some review by an independent engineering firm. Dillinger seconded. Holt asked if they are stamped drawings when we get them? Captain Craig stated no. M-A Com has asked us to have the towers up by the first week in June to meet their time line. National Tower can't come close to that time line. Dillinger asked if JDH had an engineer approve it? Captain Craig stated he would have to talk to them, they had an engineering company at one of the walk thrus and he was going to do drawings. Part of the bid was the soil sampling. Dillinger stated

they do not represent that it has been certified by an engineer? Captain Craig stated he does not believe so, he would have to ask them. Motion carried unanimously.

Liability Trust Claims: (2:52:00)

Mr. Howard requested approval of Liability Trust Claims. 1) Hamilton County Treasurer - \$1,881.99. 2) Waggoner Irwin Scheele - \$474.37. 3) Waggoner Irwin Scheele - \$6,215.74. 4) Waggoner Irwin Scheele - \$12,306.45. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 5) Michael A. Howard - \$2,677.50. 6) John E. Conner & Associates, Inc. - \$216.32. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Administrative Assistant (2:54:12)

Precinct Polling Locations:

Mr. Fred Swift requested approval of the Precinct Polling locations for the May Primary. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Request for Use of Building:

Mr. Swift stated Kathy Richardson has requested the building be open on Saturday, April 26th and May 3rd for Absentee Voting. Dillinger motioned to approve. Altman seconded. Altman asked when we open the building on weekends, do we have deputies? Mr. Swift stated yes. Motion carried unanimously.

Community Corrections Advisory Board Appointment: (2:55:23)

Mr. Swift stated Sam Robinson has resigned from the Community Corrections Advisory Board. Mr. Ralph Watson recommended Mr. Steve Dillon, Director of Student Services for Carmel-Clay Schools replace Mr. Robinson. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Health Board Appointment: (2:56:00)

Mr. Swift stated Garrick Mallery has recommended Virginia Lake be appointed to the Hamilton County Health Board to replace Max Hunter. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Highway/Board of Commissioners Meeting:

Mr. Swift reminded the Commissioners they have a meeting with the Highway Department on May 5, 2003 to discuss highway projects and priorities. The meeting will be held at the Highway Department at 8:00 am.

Commissioner Committee Reports (2:57:35)

E911 Review Board:

Dillinger stated the E911 Review Board has met with two of the three firms on the 911 Centerline Addressing RFP. We are meeting on April 24th and will bring a recommendation to the April 28th Commissioner's meeting.

Humane Society: (2:58:32)

Holt stated they have met twice with the Humane Society and the architects on the Animal Control Shelter. Mike Howard is working on a proposed operating agreement. Holt asked Mr. Howard to circulate the agreement to all of the Commissioners for review before the next meeting.

Sheriff: (2:59:10)

No report.

RFP Award (2:59:30)

Web Content Management:

Ms. B.J. Casali stated we received seven (7) proposals for the Web Content Management Project. An evaluation committee composed of Kent Ward, Phil Folkerts, Mike Conaway, Diana Cleland and herself reviewed the proposals. They were short listed and asked to present on-site presentations. A recommendation was made to the Web Committee, which consists of Kent Ward, Judy Levine, Christine Altman, Tammy Baitz and Debbie Folkerts that Quantum Art be selected for the Web Content Management Project. They are within budget and were best of those that were reviewed. Ms. Casali stated a contract will be presented at the next meeting for signature. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Solid Waste Grant: (3:02:05)

Altman stated she signed off on the Solid Waste Grant. We did receive a grant award for 2003 in the amount of \$60,000. It is a 12 month grant which starts at the time the State signs off. The deadline for signature was April 21st, which was before the Solid Waste Board meeting. Altman stated we receive a 75% award advanced. She has asked Mr. McNulty to reserve enough, until we get the budget straightened out, that we go through 2003.

Emergency Management Grants: (3:03:08)

Altman stated Bob Hendericks has applied for two (2) grants, one for approximately \$21,000 and the other for just over \$2,000. Emergency Management Committee and Local Emergency Planning Committee agreed with and asked that we proceed with. The \$21,000 is a stipend to help us re-write our emergency manual for the county. We will not contract that out, we will use those funds locally, if we receive the award. The other grant is to try to integrate local people within the response area. Altman requested a ratification of the Commissioner's support. Altman motioned to approve both grants. Dillinger seconded. Motion carried unanimously.

Public Records Request: (3:04:44)

Holt gave Mr. Howard the original letter from the Auditor of State saying that she is in receipt of his public records request.

Animal Control Workshop:

Holt stated he received information that the Association of Cities and Towns will be hosting an Animal Control Workshop on May 1st from 10:00 - 3:00. Holt proposed that we send in a reservation in his name or Fred Swift. Dillinger and Altman agreed.

Auditor (3:06:28)

Clerk of the Circuit Court Monthly Report:

Ms. Robin Mills requested approval of the February 2003 Clerk of the Circuit Court's Monthly Report that was tabled at the last meeting. An explanation is sent to the State Board of Accounts and the Clerk will begin attaching an explanation to the Commissioner's copies. Altman motioned to remove it from the table. Dillinger seconded. Motion carried unanimously. Altman motioned to approve the report. Dillinger seconded. Motion carried unanimously.

Liability Trust Claim:

Ms. Mills requested approval of a Liability Trust Claim payable to Miller's Auto Body in the amount of \$100.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

County Treasurer's Monthly Report:

Ms. Mills requested approval of the Treasurer's Monthly Reports for May 2002 thru December 31, 2002 and January 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2003-00010 - Gulf Insurance Company Performance Bond No. B2 1873923 for Lakeside Park Sec. II - erosion control in the amount of \$20,673.00. 2) HCDB-2003-00010A - Gulf Insurance Company Performance Bond No. B2 1873923 for Lakeside Park Sec. II - erosion control in the amount of \$20,673.00 (rider adding name of subdivision to surety). 3) HCDB-2003-00011 - Gulf Insurance Company Performance Bond No. B2 1873921 for Lakeside Park Sec. II - monuments and markers in the amount of \$2,2250.00. 4) HCDB-2003-00011A - Gulf Insurance Company Performance Bond No. B2 1873921 for Lakeside Park Sec. II - monuments and markers in the amount of \$2,250.00 (rider adding name of subdivision to surety). 5) HCDB-2003-00012 - Gulf Insurance Company Performance Bond No. B2 1873922 for Lakeside Park Sec. I - erosion control in the amount of \$53,972.00. 6) HCDB-2003-00012A - Gulf Insurance Company Performance Bond No. B2 1873922 for Lakeside Park Sec. I - erosion control in the amount of \$53,972.00 (rider adding name of subdivision to surety). 7) HCDB-2003-00013 - Gulf Insurance Company Performance Bond No. B2 1873920 for Lakeside Park Sec. I - monuments and markers in the amount of \$3,900.00. 8) HCDB-2003-00013A - Gulf Insurance Company Performance Bond No. B2 1873920 for Lakeside Park Sec. I - monuments and markers in the amount of \$3,900.00 (rider adding name of subdivision to surety). 9) HCDB-2003-00014 - Gulf Insurance Company Performance Bond No. B2 1873919 for Lakeside Park offside storm sewer in the amount of \$78,378.00. 10) HCDB-2003-00014A - Gulf Insurance Company Performance Bond No. B2 1873919 for Lakeside Park offsite storm sewer in the amount of \$78,348.00 (rider adding name of subdivision to surety). 11) HCDB-2003-00015 - Gulf Insurance Company

Performance Bond No. B2 1873918 for Lakeside Park Sec. II storm sewer and subsurface drains in the amount of \$58,927.00. 12) HCDB-2003-00015A - Gulf Insurance Company Performance Bond No. B2 1873918 for Lakeside Park Sec. II storm sewer and subsurface drains in the amount of \$58,927.00 (rider adding name of subdivision to surety). 13) HCDB-2003-00016 - Gulf Insurance Company Performance Bond No. B2 1873917 for Lakeside Park Sec. I - storm sewer and subsurface drains in the amount of \$268,156.00. 14) HCDB-2003-00016A - Gulf Insurance Company Performance Bond No. B2 1873917 for Lakeside Park Sec. 1 - storm sewer and subsurface drains in the amount of \$268,156.00 (rider adding name of subdivision to surety). 15) HCDB-2003-00018 - Developers Surety and Indemnity Company Performance Bond No. 888137S for Whispering Woods storm sewers in the amount of \$13,000.00 (surety posted by the contractor for the reconstruction of the Russell Johnson Drain, Sandstone Woods Arm). 16) HCDB-2003-00019 - Developers Surety and Indemnity Company Payment Bond No. 888137S for Whispering Woods storm sewers in the amount of \$13,000.00. (Surety posted by the contractor for the reconstruction of the Russell Johnson Drain, Sandstone Woods Arm). 17) HCDB-2003-00024 - Star Financial Bank Irrevocable Letter of Credit No. 16766267 for Whispering Woods storm sewers in the amount of \$13,300.00 (Surety posted by the developer for the reconstruction of the Russell Johnson Drain, Sandstone Woods Arm). 18) HCDB-2003-00020 - The Continental Insurance Company Subdivision Bond No. 929283379 for The Lakes at Hayden Run, Section 2 storm sewer in the amount of \$129,303.91. 19) HCDB-2003-00021 - The Continental Insurance Company Subdivision Bond No. 929283377 for The Lakes at Hayden Run, Section 2 erosion control in the amount \$32,346.76. 20) HCDB-2003-00022 - The Continental Insurance Company Subdivision Bond No. 929283376 for The Lakes at Hayden Run, Section 2 - Monuments and Markers in the amount of \$2,100.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims: (3:08:01)

Ms. Mills requested approval of the Payroll Claims to be paid April 11, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid April 15, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Poor Relief Appeal - Jackson Township: (3:09:29)

Ms. Shanna Lloyd, Box 132 Atlanta, Indiana, stated she had a brain aneurysm and lost her job and she is supporting a four-year old daughter. She requested help from Duane Hiatt, Jackson Township Trustee. Ms. Lloyd stated she did miss her first appointment with Mr. Hiatt. She is not able to return to work per her doctor's orders. Mr. Hiatt declined Ms. Lloyd's request for assistance because she moved out of her father's home, which was by no choice of her own. Her father was assisting her medically and he had to sell his home and moved to Liston, Indiana which required her and her daughter to find a place of their own. She had been living on savings which she had saved while she was receiving disability pay from St. Vincent's Hospital. The second reason for denying her claim was that she had said misleading statement as to where she had filed her job applications. One of the places he listed was Personnel Management, which is a temporary agency. This is false, she had faxed resumes. She did contact PMI. When Mr. Hiatt

asked PMI, they stated she had no come in for an interview, but they did receive her resume. She requested from the Commissioners that she receive this help. She was very honest and truthful with Mr. Hiatt, she provided medical documents to support her medical reasons. Holt stated the Commissioner's received a statement from Mr. Hiatt, who was unable to attend today. Holt read Mr. Hiatt's statement - "On March 18th, Shanna Lloyd, called inquiry about rent assistance. An appointment was made for March 21st, she was told the papers she would need to bring. She did not show for the appointment nor did she call to cancel. On March 31st she called, left message on recorder stating she wanted to make an appointment to apply for rent assistance, she wanted a time and asked what papers to bring. When I called her I questioned on not keeping the March 21st appointment or notifying the Trustee's office. She took offense at being questioned stating she did not have the paperwork ready and she had a four-year old child to take care of. Appointment was set for April 3rd. The paperwork she would need was stated, including a statement to her medical condition that is causing her to need Trustee assistance. She stated her medical records were private and none of my business and I did not need that information to pay her rent. On April 3rd she filed application. She told me she had a brain aneurysm, the only medical papers she brought were a hospital discharge paper. During the interview stated she lived with her father. I then specifically asked her if she did live with her father and she said yes. I asked her where she had applications for employment filed and she stated Tipton Hospital, PMI Noblesville, and Adex-a-Corp at 96th and Meridian. On April 3rd I went to Tipton Hospital Human Resources Department, they did not have an application from Shanna and would check further and call me. On April 5th they called and said they did not find an application. On April 3rd I also went to PMI at Noblesville, they stated that Shanna had previously had been registered with them, but it had expired. She had appointment to update her registration but did not keep her appointment. I denied her application for assistance based on her living with her father and her misrepresentation of her applications for work. On April 7th Shanna received the notice of action and called very upset that she was denied. She left three (3) messages on the recorder. I returned her call on April 7th. She demanded phone number of the person above me, she stated I lied when I stated she misrepresented her applications for work and said she had faxed resumes to many places including the places she told me. I asked her why she did not tell me she faxed them and she stated I did not ask about resumes. April 8th I went back to PMI, yes they had received resume but did not update her status with them, it has to be done in person. April 8th I went back to Tipton Hospital Human Resources Department, they checked again for me and found no resumes or applications on file. Concerning living with her father - she now states she did live with her father but he moved to Liston to live with his girlfriend and was going to sell the house so she had to move. I asked her why she did not tell me this previously, she said I did not ask. I asked for her father's phone number, her reply was 'her private life was none of my business and she would not give me his phone number". Signed by Duane E. Hiatt, Jackson Township Trustee. (3:16:03) Ms. Lloyd responded by stating 99% of that was true, she was very upset when she talked to Mr. Hiatt because of the fact that she felt that when he asked where she had applied, she was faxing these resumes and she felt she was being backed in to a corner. To me faxing resumes and not receiving calls, she felt low and she felt like she was trying to get these positions and no one was calling me, she is trying to raise her daughter and trying to get assistance and no one was hearing her out. She felt that Mr. Hiatt was telling you that she was lying. She did apologize to Mr. Hiatt for being belligerent because I was upset when she talked to Mr. Hiatt. She did fax to Tipton Hospital, her mom works for Dr. Pippenger and she is the one who faxed the resumes for her. She actually spoke to several people in Human Resources, they

said they had no open positions that they were only PRN positions and right now she can not afford to work PRN and they weren't positions that were for herself, they had no administration positions. Medical documentation, she worked at St. Vincent's Hospital, by law he does not have to have her medical records, he could have something stating why I was off work or stating I was off work for medical reasons. He did not need my medical records and that is what I was trying to state to him. She was more than willing stating that he could have my medical records, that was no big deal. I told him I moved out of my father's home, he did not ask me why or when. She would give him the information he was asking me for, she has no reason to hide anything or not tell him. If I was hiding something I would not be standing in front of you guys, pleading with you guys to understand her side. That is the truth. (3:18:22) Altman asked what applications have you personally made for employment? Ms. Lloyd stated recently she has made none. Altman asked if Ms. Lloyd has provided the medical information requested by Mr. Hiatt that is confidential under the Poor Relief statute per his request? Ms. Lloyd stated ever since she has talked to him, he has requested nothing. Altman stated he has previously requested medical information. Ms. Lloyd stated what she gave him was satisfactory. Altman stated his letter indicates contrary so did you follow-up and provide additional information to Mr. Hiatt? Ms. Lloyd stated she gave him a short term disability letter stating she was off for medical reasons, so she was assuming that is what he needed. She can get it from the hospital. She is assuming because that is not why he denied her, that it was satisfactory. I gave him more than just a hospital discharge. I gave him letters from a short term disability company. Altman asked Ms. Lloyd if she has applied for Social Security disability? Ms. Lloyd stated no. (3:19:39) Dillinger asked if Ms. Lloyd has had any contact with Mr. Hiatt since this? Ms. Lloyd stated her landlord called her last Friday, and he said he had spoken with Mr. Hiatt Friday morning and Mr. Hiatt had requested a copy of the lease. At the time she saw Mr. Hiatt, her landlord had not given her a lease yet, all she had was a piece of paper stating the date she moved in, her deposit, how much her rent was, etc. When her landlord found out that she needed all this, she got her lease but Mr. Hiatt already had a faxed copy stating she already lived there. Ms. Lloyd left Mr. Hiatt a message saying her landlord had called her and said you needed a copy of her lease, if you need this copy she would drop it off, but she was not sure why he needed this copy because she was already denied. Dillinger stated Ms. Lloyd has not given him the medical records, that he said he needed, which are confidential. You have not specifically and personally gone to these different places of employment and have not provided the lease for him, if I were you I would go back and physically do all of those things and see if he would reconsider. Ms. Lloyd stated the reason she is here is because he denied her for two reasons and those two reasons were for moving out of her father's home, which she had no choice, and two for misleading in where she had faxed resumes. That is why she is appealing. (3:22:07) Altman asked if Ms. Lloyd is contending she qualifies for poor relief because you are physically or mentally unable to work? Ms. Lloyd stated she has no income. Altman asked if you are stating to us that you are physically or mentally unable to work? Ms. Lloyd stated she was off of work due to medical reasons, per doctor's orders. Altman asked if today, are you physically or mentally unable to work? Ms. Lloyd stated per doctor's orders, yes. Altman asked currently? Ms. Lloyd stated yes. Altman asked Ms. Lloyd if she has provided those doctor's orders to Mr. Hiatt? Ms. Lloyd stated yes. Altman asked with specifics as to why? Ms. Lloyd stated no, he has her short term disability papers. Altman asked if he knows why you are disabled? Ms. Lloyd stated yes. Altman asked the medical reason why? Ms. Lloyd stated he has her doctor's name and phone number. Altman stated that is not the same, her question is did you provide to Mr. Hiatt, the medical condition that qualifies you for

disability? Ms. Lloyd stated she is not trying to dispute what you are saying, she is confused why this is even an issue. Her understanding is that the medical part of this is satisfactory to Mr. Hiatt otherwise that would have been the reason why he denied me. I will be more than happy to drive 2 miles down the road to get the medical documentation she needs. Mr. Hiatt has stated to her regardless of what she has or what she gets he can not overrule what he has already done. She is not sure what that will do to change his mind. Dillinger asked if that is true, he can't change his mind? Mr. Howard stated if she is asking for an award because she is disabled, that is a whole new request. Ms. Lloyd stated her doctor has said he is trying to work her back into 18 hours per week, he does not want me to go back at 40 hours per week. Mr. Howard stated Mr. Hiatt, both the first time and today does not know that because you have not provided him the doctor's information. You do not have to give that information, but if you don't give that information he does not have to give you poor relief. If you want to stand by your guns, then he is going to stand by his. If you want poor relief based on an existing medical condition, Mr. Hiatt is entitled to have that to review it, but he must keep it confidential. Ms. Lloyd stated she does not mind giving it to him. (3:25:11) Altman stated based on what she has heard today and the statement of Mr. Hiatt she motioned to deny the appeal of Ms. Lloyd. Dillinger seconded. Motion carried unanimously.

Flex Plan: (3:25:44)

Ms. Sheena Randall introduced Cindy Durham, Nyhart Company, who will be conducting Hamilton County's Flex Program classes for the next 2 days, which begin tomorrow morning at 7:00 am at the Sheriff's Department. We will hold 2 classes at the Sheriff's Department, 2 at the Judicial Center and 1 at the Highway Department tomorrow. We will also hold classes on Wednesday. Ms. Randall presented a contract from the Nyhart Company for a Fee Schedule for the Flex Program and the Section 125 Document for signatures. Dillinger motioned to approve. Altman seconded. Altman asked if the Fee Schedule is the same as presented per employee? Ms. Randall stated yes. Motion carried unanimously.

HIPPA Regulations Business Associate Agreement: (3:27:35)

Ms. Randall stated she has prepared a Business Associate Agreement for the HIPPA Regulations for the Privacy Law for Individualize Private Care Management and John Ditslear. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. Altman asked if this has been reviewed to make sure it complies with federal regulations? Mr. Ditslear stated yes, that information was given to Sheena by Nyhart's attorney. Mr. Howard asked if Nyhart has approved them as our Administrator? Ms. Randall stated yes.

Verizon Music Center Mass Assembly Permit: (3:29:38)

Mr. Steve Finkel and David Shaw, Verizon Music Center, requested approval of the Mass Gathering License Application for Verizon Music Center. Mr. Finkel stated Sheriff Carter has reviewed their traffic plan and this year we have a new program that includes the parking fee in the ticket price, which should facilitate traffic ingress by 30%. Dillinger asked if anything has changed? Mr. Finkel stated no. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. Dillinger stated he understood Verizon will be under Noblesville jurisdiction? Mr. Howard stated that ordinance and agreement will be approved 2 weeks from tomorrow night. Dillinger stated as he understands it, we will still be maintaining security for right now? Mr.

Howard stated for this year, under the contract. There will be a Noblesville officer with the Sheriff to learn the ropes to transition into 2004 at which time there will be more roads to get in and faster access.

Community Corrections Grants: (3:32:12)

Mr. Ralph Watson requested signatures on the 2003-2005 Adult and Juvenile Grant Applications for Community Corrections. Mr. Watson stated we did not receive any additional funding from the Department of Corrections. We did absorb additional costs in our project income, which we feel can easily be absorbed in our current operating budget as well as the Council supplemented some of our salaries for the first time. They are aware that will be a continued request. Unless there are tremendous problems we should receive the level of funding we have requested. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Dillinger motioned to adjourn the meeting. Altman seconded. Motion carried unanimously. (3:34:40)

Commissioners Correspondence:

Ellen Morrison Townsend Letter requesting drainage documents
Resolution #RC-11-03, Supporting Hamilton County Concerning COIT Distribution
DeKalb County Commissioners Letter regarding pledge to the flag
Financial Condition Letter from Robin Mills
Deductions Department Update
Transfer & Mapping Update
INDOT Resolution Establishing Traffic Controls on SR 19
City of Noblesville Notice of Public Hearings:

Noble West
Home Depot
16865 Clover Road

IDEM Eight-Hour Ozone Standard Designations
IDEM Notice of Sewer Permit Applications:

141st Street Sanitary Sewer Division - Fishers
Bridgewater, Section B - Westfield
Bridgewater, Section G2 - Westfield
Fox Hollow at Geist, Section 1 - Noblesville
Greens at Prairie Crossing, Section 2 - Noblesville
Meadow Brook Village, Section 3 - Fishers
Mill Grove, Section 7 - Noblesville
Riverwalk Commons - Noblesville
Sagamore, Sections 5, 6, 7 - Noblesville

Bridgewater, Section B - Westfield

Bridgewater, Section G2 - Westfield

CMC Business Park - Carmel
Countryside, Section 10 - Westfield
Countryside, Section 11B - Westfield
Deer Path, Sections 14 & 15 - Noblesville
Horizon, Section Two - Fishers
Mill Grove, Section 7 - Noblesville
Providence at Old Meridian, Phase 2 - Carmel
The Villas at Oak Ridge - Westfield

Certificate of Liability Insurance:
ADACO, Inc.

Present:

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Marc Bowen, Sheriff's Department
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Patricia Ogden, Highway Public Service Representative
Dave Lucas, Highway Inspector
Robert Chadwell, Highway Inspector
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Highway Project Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Judy Levine, County Council
Dennis Neidigh, EDIS
Bryan Stumpf, The Estridge Companies
David Puckebaum, Corradino Group
Floyd Burroughs, Floyd E. Burroughs & Associates
BJ Casali, ISSD
Shanna Lloyd, Poor Relief Appeal
Ralph Watson, Community Corrections
Steve Finkel, Verizon Wireless Music Center
David Shaw, Verizon Wireless Music Center
Diana Lamirand, Ledger